

AN ACT
5-250

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To amend the Highways and Traffic Regulations to modify the residential permit parking program.

BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA,
That this act may be cited as the "Residential Permit
Parking Regulation Amendment Act of 1984".

Sec. 2. Section 82 of the Highways and Traffic
Regulations, enacted October 12, 1974 (Reg. 74-25; 18 DCMR
2411 et seq.), is amended to read as follows:

D.C.M.R.

"(a) For the purposes of this section, the term:

"(1) 'Commuter vehicle' means a motor vehicle
parked on a residential street by someone who does not
reside in that residential permit parking zone.

"(2) 'Council' means the Council of the District
of Columbia.

"(3) 'Department' means the Department of Public
Works.

"(4) 'Director' means the Director of the
Department of Public Works.

"(5) 'Parking space' means a twenty (20) foot
long area of street, alongside the curb, where motor
vehicles may lawfully park.

"(6) 'Residential permit parking sticker' means

the certificate of permission, under this regulation, for a resident of a residential permit parking zone in the District to park a motor vehicle in that zone beyond the limits generally imposed upon motor vehicles parked in the zone.

"(7) 'Street' means a block of a street, avenue, road, or highway.

"(8) 'Temporary permit' means a certificate of permission which, under this section, temporarily provides the permit holder the same parking rights as those provided by the authority of a residential permit parking sticker.

"(9) 'VIN number' means the local government term for the serial number of a motor vehicle.

"(10) 'Visitor permit' means the temporary certificate of permission which, under this section, temporarily provides the permit holder the same parking rights as those provided by the authority of a residential permit parking sticker.

"(11) 'Weekdays' means Monday through Friday, except on days on which holidays are celebrated.

"(b) Except as provided in subsections (c) and (1), parking a motor vehicle on a residential permit parking street within the same zone shall be restricted to a consecutive two (2) hour period between 7 a.m. and 6:30 p.m. on weekdays, unless the motor vehicle displays a valid residential permit parking sticker.

"(c) Vehicles with valid handicapped-driver license plates or handicapped parking permits are exempt from the

requirements of this regulation.

"(d)(1) Each Ward of the District shall constitute a separate residential permit parking zone.

"(2) Notwithstanding the notice requirements in sections 6 and 10 of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Code, sec. 1-1506 et seq.), within each residential permit parking zone the Director may designate for residential permit parking any block of a street which meets the following criteria:

"(A) It is abutted primarily by residential, recreational, or parkland uses. If a block has residential permit parking, in cases where a building contains both residential and non-residential land uses, the Director shall determine whether it is appropriate for some or all of the abutting curb space to be designated for residential permit parking.

"(B) It is impacted by commuter vehicles between 7:00 a.m. and 6:30 p.m. on weekdays, or it is not impacted by commuting vehicles, but it is surrounded by blocks which are designated as residential permit parking blocks.

"(C) A petition has been submitted to the Director supporting its designation as a residential permit parking street. Where there are no residences with addresses on a block which abuts the side or rear of residences included in the program, or on a block which abuts a park or recreational facility, the Director may

initiate its inclusion in the residential permit parking program.

"(D) It meets the objective criteria established by the Director pursuant to subsection (e).

"(3) The petition referred to in paragraph (2)(c) must be signed by at least 1 adult resident of a majority of the households on the block. In cases where a petition represents less than a majority of the individual households, but where circumstances suggest that the majority of the residents support residential permit parking, the Director may, at his or her discretion, initiate a vote on whether or not the block shall be part of the residential parking program. Ballots shall be distributed to each household on the block, and the majority of the ballots returned within fifteen (15) days shall be regarded as indicating the will of the residents of the block.

"(4)(A) The Director may withdraw the designation of any block for residential permit parking based upon the receipt of a petition signed by a majority of the households on the block.

"(B) The Director may withdraw the designation of a block for residential permit parking from a block on which there are no residences with addresses only after giving thirty (30) day written notice to the affected Advisory Neighborhood Commission.

"(C) The Director may remove signs from a part of a block designated for residential permit parking

only after giving thirty (30) day written notice to the affected Advisory Neighborhood Commission.

"(5)(A) Quarterly, the Director shall provide the Council with a list, by Ward, of each residential area included or withdrawn from the residential permit parking program within the prior 3 months.

"(B) When the Director provides the list described in subsection (A), the Director shall publish the list in the District of Columbia Register.

"(e)(1) The Director shall establish objective criteria to use in determining whether or not a block of a street is eligible for designation as a residential permit parking block.

"(2) In establishing the objective criteria, the Director shall consider the following factors:

"(A) Whether, during any weekday between 7 a.m. and 6:30 p.m., the motor vehicles parked on the street occupy at least seventy percent (70%) of the parking spaces of the block;

"(B) Whether, during any weekday between 7 a.m. and 6:30 p.m., at least ten percent (10%) of the motor vehicles parked on the street are not registered in that residential permit parking zone in the name of a person residing in the District.

"(C) The clean air requirements of federal and District law;

"(D) The possibility of a reduction of motor vehicle miles travelled;

"(E) The likelihood of alleviating traffic congestion, illegal parking, and related health and safety hazards;

"(F) The proximity of public transportation to the block;

"(G) The desire and the need of the residents of the block to have the block regarded as a residential permit parking street and their willingness to bear the associated administrative costs;

"(H) The need for parking for periods in excess of two (2) hours for business establishments and for religious, health, or education purposes;

"(I) The need for parking regulation to maintain the stability of the neighborhood.

"(f)(1) Each residential permit parking sticker shall indicate at least the following:

"(A) Its expiration date;

"(B) The residential permit parking zone in which it is valid; and

"(C) The first and last digits of the license plate of the motor vehicle for which it is valid.

"(2) A residential permit parking sticker shall be issued or reissued for a period of one (1) year, unless the Director shall specify a different time period.

"(3) The Director shall establish standards for the location and display of residential permit parking stickers.

"(4) A residential permit parking sticker shall

be valid only when displayed in accordance with the standards established under subsection (3).

"(5) Simultaneous display of current residential parking stickers for more than one (1) zone shall make all the residential permit parking stickers invalid and shall be prima facie evidence of misrepresentation on the residential permit parking sticker application.

"(g)(1) A residential permit parking sticker shall not guarantee or reserve to the holder a parking space within the designated residential permit parking zone.

"(2) A residential permit parking sticker shall not authorize the holder of the sticker to stand or park a motor vehicle in any place where or during any times when the stopping, standing, or parking of motor vehicles is prohibited or set aside for specified types of vehicles, nor exempt the holder from the observance of any traffic regulation other than the residential permit parking two-hour parking limit.

"(3) No sticker or permit for residential permit parking shall be used or displayed on any vehicle other than the one for which it was issued. Any sticker or permit so displayed shall be void, and any unauthorized display of stickers or permits shall constitute a violation of this section by the sticker holder and by the owner or the operator of the vehicle displaying the permit.

"(h)(1) After the Director designates a block for residential permit parking, the Director shall distribute applications for residential permit parking stickers to the

"(2) An application for a residential permit parking sticker shall contain the name of the owner or operator of the motor vehicle, the vehicle's body make, body style, serial or VIN number, identification tag number, and, when appropriate, the vehicle's reciprocity number.

"(3) The motor vehicle registration and related documentation may, in the discretion of the Director, be required to be presented when filing an application in order to verify the application.

"(i)(1) After the Director designates a block for residential permit parking, the Director may post signs on the block indicating the times, days of the week, locations, and the conditions under which parking over two (2) hours shall be by permit only.

"(2) In cases where there are parking prohibitions in a block during part, but not all, of the period when residential permit parking regulations apply, the Director may post, at his or her discretion, residential permit parking signs on the blocks for the balance of the residential permit parking period.

"(j)(1) The Director shall issue a residential permit parking sticker upon application, and upon payment of the fee established pursuant to subsection (m)(1), only to the owner or the operator of a motor vehicle who resides on property abutting a street designated as a residential permit parking block.

"(2) The Director may issue a residential permit

parking sticker, upon application and payment of the fee established pursuant to (m)(1), to a motor vehicle owner who resides on property abutting a block designated as a residential permit parking street which is not eligible for residential permit parking because of existing parking restrictions, but which is surrounded by streets which have been designated as residential permit parking streets or have other restrictions which prohibit all-day parking.

"(3) Residential permit parking stickers may be issued only for, and shall be valid only on, vehicles which are registered in the District, or which have valid reciprocity privileges in the District.

"(4) Buses, commercial vehicles, and sightseeing vehicles shall not be issued residential permit parking stickers.

"(k) The Director may replace current residential permit parking stickers, without extension of their duration, when the sticker holder changes address from one (1) zone to a block designated for residential permit parking in a different zone, or where a residential permit parking sticker holder provides satisfactory evidence of the destruction of the original sticker.

"(1)(1) The Director or the Chief of Police may issue visitor permits valid for periods up to fifteen (15) days to visitors at an address on a residential permit parking block.

"(2) Visitor permits shall be valid on commercial vehicles only while the operator of the vehicle is actually

involved in the performance of construction, maintenance, repair, or reconstruction work at an address on a residential permit parking street.

"(3) The Director may issue temporary permits, valid for periods up to sixty (60) days, for temporary use warranted by a resident's medical necessity.

"(4) A visitor's permit or a temporary permit may be issued for a zone even though the motor vehicle displays a residential permit parking sticker for another zone.

"(m)(1) The Director may establish a fee for residential permit parking stickers, visitor permits, and temporary permits to cover the administrative costs of the residential permit parking program.

"(2) The Director may establish a fee for the replacement of stickers or permits, but the fee may not exceed the cost of the original sticker or permit.

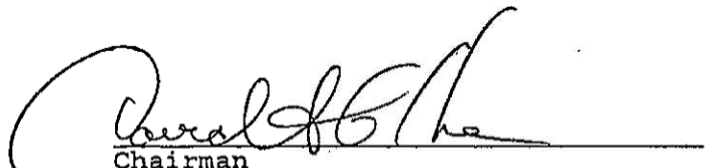
"(n)(1) It shall be a violation of this regulation for any person to falsely represent himself or herself as eligible for a residential permit parking sticker or permit or to furnish any false information in an application for a residential permit parking sticker or permit. Any sticker or permit issued as a result of false information shall be void.

"(2) The Director is authorized to revoke a residential permit parking sticker of any sticker holder found to be in violation of this section, and upon written notification of the revocation, the sticker holder shall surrender the sticker to the Director.

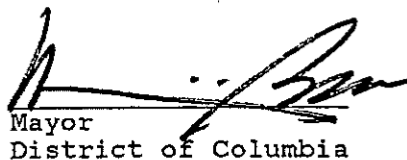
"(3) Failure, when requested, to surrender a residential permit parking sticker revoked by the Director shall constitute a violation of this section.

"(4) Any person who shall violate any provision of this regulation shall, upon determination of liability, be subject to a civil fine established pursuant to the District of Columbia Traffic Adjudication Act of 1978, effective September 12, 1978 (D.C. Law 2-104; D.C. Code, sec. 40-601 et seq.".

Sec. 3. This act shall take effect after a 30-day period of Congressional review following approval by the Mayor (or in the event of veto by the Mayor, action by the Council of the District of Columbia to override the veto) as provided in section 602(c)(1) of the District of Columbia Self-Government and Governmental Reorganization Act, approved December 24, 1973 (87 Stat. 813; D.C. Code, sec. 1-233(c)(1)).


Chairman
Council of the District of Columbia

Introduced as Bill 5-142 by Chairman Clarke
on March 7, 1983.


Mayor
District of Columbia
APPROVED: January 11, 1985

FIRST READING: 12-4-84; Adopted by unanimous
voice vote; Smith absent.

FINAL READING: 12-18-84; Adopted by unanimous
voice vote; Winter absent.

Transmitted to the Mayor: December 28, 1984